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1
2 **UNITED STATES DISTRICT COURT**
3 **NORTHERN DISTRICT OF CALIFORNIA**
4 **SAN FRANCISCO DIVISION**

5
6 **IN RE GOOGLE PLAY STORE**
7 **ANTITRUST LITIGATION**

8 THIS DOCUMENT RELATES TO:
9

10 *Epic Games, Inc. v. Google LLC et al.*,
11 Case No. 3:20-cv-05671-JD

12 *In re Google Play Consumer Antitrust*
13 *Litigation*, Case No. 3:20-cv-05761-JD

14 *State of Utah et al. v. Google LLC et al.*,
15 Case No. 3:21-cv-05227-JD

16 *Match Group, LLC et al. v. Google LLC et al.*,
17 Case No. 3:22-cv-02746-JD

18 Case No. 3:21-md-02981-JD

19 **DECLARATION OF LAUREN**
20 **A. MOSKOWITZ IN SUPPORT OF**
21 **PLAINTIFFS' ADMINISTRATIVE**
22 **MOTION TO CONSIDER WHETHER**
23 **ANOTHER PARTY'S MATERIAL**
24 **SHOULD BE SEALED PURSUANT TO**
25 **CIVIL LOCAL RULE 79-5**

26 Judge: Hon. James Donato

1 I, Lauren A. Moskowitz, declare as follows:

2 1. I am a Partner at Cravath, Swaine & Moore LLP, counsel to Epic Games, Inc. (“Epic”)
 3 in the above-captioned actions. I am admitted to appear before this Court *pro hac vice*.

4 2. I have personal, first-hand knowledge of the facts set forth in this Declaration. If called
 5 as a witness, I could and would competently testify to these facts under oath.

6 3. Portions of Plaintiffs’ Supplemental Brief on Google’s Chat Production (“Plaintiffs’
 7 Brief”) and exhibits to the Declaration of John D. Byars (“Byars Declaration”) are sourced from
 8 materials that Defendants Google LLC, Google Ireland Limited, Google Commerce Limited, Google
 9 Asia Pacific Pte. Limited, and Google Payment Corp. (collectively, “Google”), have designated as
 10 “CONFIDENTIAL” and “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” pursuant to
 11 the operative Protective Orders entered by the Court, Case No. 3:21-md-02981-JD, ECF Nos. 247,
 12 248, and 249. The following table shows the portions of Plaintiffs’ Brief and the exhibits to the Byars
 13 Declaration that contain information designated as “CONFIDENTIAL” and “HIGHLY
 14 CONFIDENTIAL – ATTORNEYS’ EYES ONLY”.

Document	Corresponding Page and Line Number(s)	Designating Party
Plaintiffs’ Brief	Page 1, lines 17-18, between “immediately wrote: ”” and “.” ¹	Google
Plaintiffs’ Brief	Page 1, lines 18-19, between “Mr. Pichai” and “. (Byars”	Google
Plaintiffs’ Brief	Page 1, lines 20-21, between “under oath” and “” (<i>Id. Ex.</i>)	Google
Plaintiffs’ Brief	Page 2, line 20, between “GOOG-PLAY5-000436389 (”” and “”) And it”	Google
Plaintiffs’ Brief	Page 3, lines 3-4, between “Development Manager about” and “. Despite”	Google
Plaintiffs’ Brief	Page 3, line 4, between “acknowledging the ”” and “, she”	Google
Plaintiffs’ Brief	Page 3, line 5, between “boasted: ”” and “” When”	Google
Plaintiffs’ Brief	Page 3, line 6, between “her colleague” and “, she”	Google
Plaintiffs’ Brief	Page 3, lines 6-7, between “stated: ”” and “” She”	Google

Document	Corresponding Page and Line Number(s)	Designating Party
Plaintiffs' Brief	Page 3, lines 7-9, between "then wrote: "" and "" Then the on-the-record"	Google
Plaintiffs' Brief	Page 3, line 18, between "in one Chat," and ". One"	Google
Plaintiffs' Brief	Page 3, lines 19-20, between "requested: "" and "" The other"	Google
Plaintiffs' Brief	Page 3, line 20, between "responded "" and ""—referring"	Google
Plaintiffs' Brief	Page 3, line 22, between "know what "" and "" was discussed"	Google
Plaintiffs' Brief	Page 3, footnote 2, between "GOOG-PLAY5-000163578 ("" and ""); <i>id. Ex.</i> "	Google
Plaintiffs' Brief	Page 3, footnote 2, between "GOOG-PLAY5-000374365 ("" and "").")"	Google
Plaintiffs' Brief	Page 4, line 7, between "whether they were "" and "" to talk"	Google
Plaintiffs' Brief	Page 4, lines 7-9, between "about" and ". A Google employee"	Google
Plaintiffs' Brief	Page 4, lines 9-10, between "that because "" and "" Google employees"	Google
Plaintiffs' Brief	Page 4, line 10, between "should "" and "" warning"	Google
Plaintiffs' Brief	Page 4, lines 11-12, between "that "" and "" (<i>Id. Ex.</i>)"	Google
Plaintiffs' Brief	Page 4, line 15, between "Programs started a "" and "" Chat to"	Google
Plaintiffs' Brief	Page 4, line 15, between "discuss" and ". Almost immediately"	Google
Plaintiffs' Brief	Page 4, lines 16-18, between "she wrote: "" and "" Google's Director"	Google
Plaintiffs' Brief	Page 4, line 20, between "why Google had" and "" The on-the-record"	Google
Plaintiffs' Brief	Page 4, lines 24-25, between "warned the group: "" and "" When others continued"	Google
Plaintiffs' Brief	Page 4, lines 26-27, between "warned again: "" and "" (<i>Id. Ex.</i>)"	Google
Plaintiffs' Brief	Page 4, line 28, to page 5, line 3, between "Google employees discussed" and ". A Sales Strategy Manager"	Google

Document	Corresponding Page and Line Number(s)	Designating Party
Plaintiffs' Brief	Page 5, lines 5-6, between "wrote: "" and "" She"	Google
Plaintiffs' Brief	Page 5, line 7, between "then wrote: "" and "" The other"	Google
Plaintiffs' Brief	Page 5, line 8, between "employee" and ". While the Sales"	Google
Plaintiffs' Brief	Page 5, line 9, between "prepared to discuss" and "in this Chat"	Google
Plaintiffs' Brief	Page 5, line 11, between "an employee" and ", and the"	Google
Plaintiffs' Brief	Page 5, line 13, between "YouTube, stating: "" and "" A Software Engineer"	Google
Plaintiffs' Brief	Page 5, line 14, between "who apparently" and ", responded: ""	Google
Plaintiffs' Brief	Page 5, lines 14-15, between ", responded: "" and "" A Product Manager"	Google
Plaintiffs' Brief	Page 5, line 15, between "then referenced "" and "" and the on-the-record"	Google
Plaintiffs' Brief	Page 5, footnote 3, between "off-the-record Chat regarding" and "); <i>id. Ex.</i> "	Google
Plaintiffs' Brief	Page 5, footnote 3, between "off-the-record Chat regarding" and ", evidence that helps"	Google
Plaintiffs' Brief	Page 5, footnote 3, between "preservation; for example," and "(<i>id. Ex.</i>)"	Google
Plaintiffs' Brief	Page 5, footnote 3, between "GOOG-PLAY5-000389043)), or to" and "(<i>id. Ex.</i>)"	Google
Plaintiffs' Brief	Page 5, footnote 3, between "GOOG-PLAY5-000168593, because "" and "")".	Google
Plaintiffs' Brief	Page 6, line 21, between "restraints that Plaintiffs challenge: " and ". Before the conversation"	Google
Plaintiffs' Brief	Page 6, line 22, between "Program Manager wrote: "" and "" A Senior Software Engineer"	Google
Plaintiffs' Brief	Page 6, line 23, between "Team Lead clarified: "" and "" The on-the-record portion"	Google
Plaintiffs' Brief	Page 6, line 25, between "Chat by asking: "" and "" one of the Android"	Google

Document	Corresponding Page and Line Number(s)	Designating Party
Plaintiffs' Brief	Page 6, line 26-27, between "Product Manager asked: "" and "" A Group Product Manager"	Google
Plaintiffs' Brief	Page 6, lines 27-28, between "volunteered: "" and "" (<i>Id. Ex.</i>)"	Google
Plaintiffs' Brief	Page 7, line 1, between "employees created a "" and "Chat with history"	Google
Plaintiffs' Brief	Page 7, line 2, between "warned the group: "" and "" The Lead"	Google
Plaintiffs' Brief	Page 7, line 2, between "Google Photos asked: "" and "" The on-the-record"	Google
Plaintiffs' Brief	Page 7, line 4, between "pasted a link about" and "and wrote: ""	Google
Plaintiffs' Brief	Page 7, lines 4-5, between "and wrote: "" and "" This comment"	Google
Plaintiffs' Brief	Page 7, line 5, between "discussion about" and ". A Software Engineer"	Google
Plaintiffs' Brief	Page 7, lines 5-6, between "Engineer wrote: "" and "" The Senior Software"	Google
Plaintiffs' Brief	Page 7, line 6, between "Engineer agreed: "" and "" Another Software"	Google
Plaintiffs' Brief	Page 7, lines 6-7, between "Engineer agreed: "" and "" And a Program"	Google
Plaintiffs' Brief	Page 7, lines 7-9, between "Manager wrote: "" and "" The Chat"	Google
Plaintiffs' Brief	Page 7, lines 10-13, between "threaded room Chat: "" and "" He then asked"	Google
Plaintiffs' Brief	Page 7, line 13, between "the group: "" and "" A YouTube Gaming"	Google
Plaintiffs' Brief	Page 7, line 14, between "employee wrote: "" and "" A Software Engineer"	Google
Plaintiffs' Brief	Page 7, line 15, between "Engineer reacted: "" and "" Another employee"	Google
Plaintiffs' Brief	Page 7, line 15, between "employee wrote: "" and "" The Chat abruptly"	Google
Plaintiffs' Brief	Page 7, lines 17-18, between "OS, sent others "" and "" A Manager"	Google
Plaintiffs' Brief	Page 7, lines 18-19, between "asked for the "" and "" She then"	Google

Document	Corresponding Page and Line Number(s)	Designating Party
Plaintiffs' Brief	Page 7, lines 19-20, between "then asked: "" and "" The first"	Google
Plaintiffs' Brief	Page 7, line 20, between "employee wrote: "" and "" Another"	Google
Plaintiffs' Brief	Page 7, lines 20-21, between "confirmed: "" and "" The employee"	Google
Plaintiffs' Brief	Page 7, lines 21-22, between "warned that "" and "" (<i>Id. Ex.</i>)"	Google
Plaintiffs' Brief	Page 7, line 25, between "decision by writing: "" and "" The Strategy"	Google
Plaintiffs' Brief	Page 7, line 25, between "Manager responded "" and "" at which point"	Google
Plaintiffs' Brief	Page 7, lines 27-28, between "and asked about "" and ". A Product Manager"	Google
Plaintiffs' Brief	Page 7, line 28, between "quickly responded: "" and "" An Android engineer"	Google
Plaintiffs' Brief	Page 7, line 28, between "engineer responded "" and "" A Senior Product"	Google
Plaintiffs' Brief	Page 7, line 28, to page 8, line 1, between "Manager wrote: "" and "" Everyone then left"	Google
Plaintiffs' Brief	Page 8, lines 2-3, between "Chat by stating: "" and "" and asked for"	Google
Plaintiffs' Brief	Page 8, line 4, between "engineer responded: "" and "" Another"	Google
Plaintiffs' Brief	Page 8, lines 4-5, between "wrote: "" and "" (<i>Id. Ex.</i>)"	Google
Plaintiffs' Brief	Page 8, lines 6-7, between "created a Chat "" and "" Another employee"	Google
Plaintiffs' Brief	Page 8, lines 7-8, between "employee wrote: "" and "" (<i>Id. Ex.</i>)"	Google
Plaintiffs' Brief	Page 8, lines 9-10, between "began a Chat: "" and "" A Design"	Google
Plaintiffs' Brief	Page 8, line 10, between "Android replied: "" and "" The conversation"	Google
Plaintiffs' Brief	Page 8, lines 12-13, between "wrote immediately: "" and "" A Software Engineer"	Google
Plaintiffs' Brief	Page 8, line 13, between "" A Software Engineer" and "" Another Software"	Google

Document	Corresponding Page and Line Number(s)	Designating Party
Plaintiffs' Brief	Page 8, line 14, between "Engineer wrote: "" and "" The Chat"	Google
Plaintiffs' Brief	Page 8, line 16, between "Google employee wrote: "" and "" In the second"	Google
Plaintiffs' Brief	Page 8, line 17, between "Safety, confirmed: "" and "" (<i>Id. Ex.</i>)"	Google
Plaintiffs' Brief	Page 8, lines 18-19, between "Chat by asking: "" and "" A Director"	Google
Plaintiffs' Brief	Page 8, lines 19-20, between "Management, responded: "" and "" A Group Product"	Google
Plaintiffs' Brief	Page 8, line 20, between "Manager replied: "" and "" The Group Product"	Google
Plaintiffs' Brief	Page 8, line 21, between "Manager concluded: "" and "" A Director"	Google
Plaintiffs' Brief	Page 8, line 21, between "Management, agreed: "" and "" The Group"	Google
Plaintiffs' Brief	Page 8, lines 22-23, between "then decided: "" and "" He then"	Google
Plaintiffs' Brief	Page 8, line 23, between "pasted a link "" and "" and the on-the-record"	Google
Plaintiffs' Brief	Page 8, lines 24-25, between "Engineer quickly asked: "" and "" Another Software"	Google
Plaintiffs' Brief	Page 8, line 25, between "Engineer wrote: "" and "" and then pasted"	Google
Plaintiffs' Brief	Page 8, line 25, between "stating it was "" and "" that he could"	Google
Plaintiffs' Brief	Page 8, lines 27-28, between "Projects then suggested: "" and "" The on-the-record"	Google
Plaintiffs' Brief	Page 9, line 1, between "an article about" and ". A Staff Privacy"	Google
Plaintiffs' Brief	Page 9, line 1, between "quickly warned: "" and "" The Senior Director"	Google
Plaintiffs' Brief	Page 9, line 2, between "Security, wrote: "" and "" An employee"	Google
Plaintiffs' Brief	Page 9, line 2, between "employee asked "" and "" to which"	Google
Plaintiffs' Brief	Page 9, lines 3-4, between "another replied: "" and "" Another wrote"	Google

Document	Corresponding Page and Line Number(s)	Designating Party
Plaintiffs' Brief	Page 9, lines 4-5, between "Another wrote: "" and "" (<i>Id.</i> Ex.)	Google
Plaintiffs' Brief	Page 9, lines 20, between "Google employees who" and ". ⁵ "	Google
Plaintiffs' Brief	Page 9, footnote 5, between "Mr. Lim: "" and ""); <i>id.</i> Ex."	Google
Plaintiffs' Brief	Page 9, footnote 5, between "Mr. Lim: "" and "")".	Google
Byars Decl. Ex. 1	Document in its entirety.	Google
Byars Decl. Ex. 2	Document in its entirety.	Google
Byars Decl. Ex. 3	Document in its entirety.	Google
Byars Decl. Ex. 4	Document in its entirety.	Google
Byars Decl. Ex. 5	Document in its entirety.	Google
Byars Decl. Ex. 6	Document in its entirety.	Google
Byars Decl. Ex. 7	Document in its entirety.	Google
Byars Decl. Ex. 8	Document in its entirety.	Google
Byars Decl. Ex. 9	Document in its entirety.	Google
Byars Decl. Ex. 10	Document in its entirety.	Google
Byars Decl. Ex. 11	Document in its entirety.	Google
Byars Decl. Ex. 12	Document in its entirety.	Google
Byars Decl. Ex. 13	Document in its entirety.	Google
Byars Decl. Ex. 14	Document in its entirety.	Google
Byars Decl. Ex. 15	Document in its entirety.	Google
Byars Decl. Ex. 16	Document in its entirety.	Google
Byars Decl. Ex. 17	Document in its entirety.	Google
Byars Decl. Ex. 18	Document in its entirety.	Google
Byars Decl. Ex. 19	Document in its entirety.	Google
Byars Decl. Ex. 20	Document in its entirety.	Google
Byars Decl. Ex. 21	Document in its entirety.	Google
Byars Decl. Ex. 22	Document in its entirety.	Google
Byars Decl. Ex. 23	Document in its entirety.	Google
Byars Decl. Ex. 24	Document in its entirety.	Google
Byars Decl. Ex. 25	Document in its entirety.	Google
Byars Decl. Ex. 26	Document in its entirety.	Google
Byars Decl. Ex. 27	Document in its entirety.	Google
Byars Decl. Ex. 28	Document in its entirety.	Google

Document	Corresponding Page and Line Number(s)	Designating Party
Byars Decl. Ex. 29	Document in its entirety.	Google
Byars Decl. Ex. 30	Document in its entirety.	Google
Byars Decl. Ex. 31	Document in its entirety.	Google
Byars Decl. Ex. 32	Document in its entirety.	Google
Byars Decl. Ex. 33	Document in its entirety.	Google
Byars Decl. Ex. 34	Document in its entirety.	Google
Byars Decl. Ex. 35	Document in its entirety.	Google

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that I executed this declaration on March 14, 2023 in Short Hills, NJ.

/s/ Lauren A. Moskowitz
Lauren A. Moskowitz

E-FILING ATTESTATION

I, Lauren A. Moskowitz, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(h)(3), I hereby attest that each of the signatories identified above has concurred in this filing.

/s/ Lauren A. Moskowitz
Lauren A. Moskowitz